

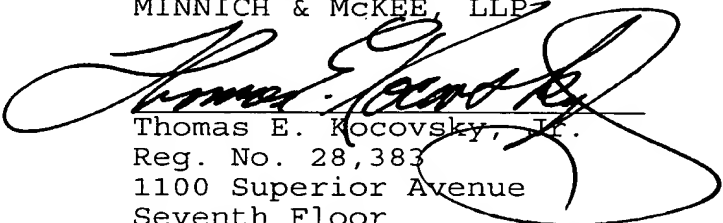
surgical setting, it should be appreciated that the present invention will also find application in other fields. Newly presented claim 39 is a method claim that generally parallels claim 5 (and its parent claim 1) without being limited to the image-guided surgery field.

It is submitted that new claim 39 is not directed to a restrictable invention. Rather, claim 39 is merely a broader statement of that which is claimed in other claims and should be examined therewith.

An early indication of the allowability of claims 1-39 is requested.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this **PRELIMINARY AMENDMENT A** in connection with U.S. Patent Application Serial No. 09/978,599 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231, on this 18th day of March, 2002.

By: Hilary M McNulty